

Application ref: 2024/0588/P
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Date: 17 October 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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WC1H 9JE

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www.camden.gov.uk/planning

Pegasus Group
21 Ganton Street
London
W1F 9BN
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

The Montague On The Garden
15 Montague Street
London
WC1B 5BJ

Proposal: Replacement and extension of existing conservatory to the rear at lower ground floor level.

Drawing Nos: Area 2 - Site Location Plan, Jan 2024 ; Area 2 - Existing Site Plan, Jan 2024 ; Area 2 - Existing Plan and Elevation, Jan 2024; Area 2 - Proposed Site Plan, Jan 2024; Area-2-Proposed Plan and Elevation, Oct 2024; Built Heritage Statement, February 2024; Cover Letter, 06 February 2024.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Area 2 - Site Location Plan, Jan 2024 ; Area 2 - Existing Site Plan, Jan 2024 ; Area 2 - Existing Plan and Elevation, Jan 2024; Area 2 - Proposed Site Plan, Jan 2024; Area-2-Proposed Plan and Elevation, Oct 2024; Built Heritage Statement, February 2024; Cover Letter, 06 February 2024.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Reasons for granting permission.

The application site is part of the Montague on the Gardens Hotel, and is part of the terrace of 18 houses dating to 1803, which are Grade II listed (no's 12-29). The late Georgian terrace is 4 storeys high, plus basement levels. The application site is located on the eastern side of Montague Street, opposite and British Museum. The site abuts the privately accessible Montague Bedford Gardens to the rear which is designated a private open space. The site also lies within Bloomsbury Conservation Area.

The applicant is seeking permission for the replacement and extension of existing conservatory to the rear at lower ground floor level.

The existing conservatory that is to be replaced is a modern structure, constructed from timber. The replacement conservatory would largely match the existing with respect to its size, but would also wrap around the rear wing. The design of the conservatory is appropriate, as are the proposed materials, which have been amended following officer comment to include brick for the wrap around extension, allowing this component to rear as a later extension. The existing brickwork at the base is modern, and no feature would be obscured. The scale is appropriate, and the development would not be visible from the public realm.

The proposal would preserve the character and appearance of the conservation area overall. It would also preserve the special architectural or

historic interest of the listed building(s). The council has had special regard to the desirability of preserving the character and appearance of the Conservation Area, and the listed building, its setting, and its features of special architectural or historic interest.

Given the scale and nature of the proposed works, the proposal would not give rise to any adverse amenity related effects.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is below the de minimis threshold, meaning it does not impact an onsite priority habitat and impacts less than 25sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of linear habitat

No objections were received following statutory consultation. The site's planning history has been taken into account when making this decision.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available, this will not require the approval of a BGP before development is begun because it is not "major development" and the application was made before 2 April 2024.

6 + Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990
If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

[https://www.gov.uk/appeal-planning-decision.](https://www.gov.uk/appeal-planning-decision)

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is centered on the page.

Daniel Pope
Chief Planning Officer